

ROBERT J. COOK,
Plaintiff

**MERCK & CO., INC.,
Defendant.**

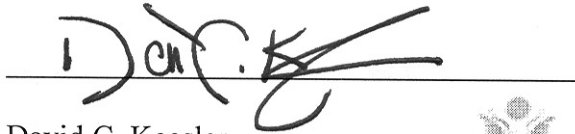
THIS MATTER IS BEFORE THE COURT on the “Defendant Merck & Co., Inc.’s Motion to Stay All Proceedings Pending Transfer Decision by the Judicial Panel on Multidistrict Litigation” (Document No. 4), filed June 30, 2005 by Merck & Co., Inc. (“Merck”), and the “Plaintiff’s Opposition to Defendant’s Motion to Stay ...” (Document No. 9), filed July 26, 2005 by Robert J. Cook. On July 1, 2005, Merck provided notice to the Judicial Panel on Multidistrict Litigation (the “MDL Panel”) of the pendency of the above-captioned action. Mr. Cook has advised the Court that – although he wishes the Court would consider his pending “Plaintiff’s Motion to Strike Affirmative Defenses” (Document No. 6), filed July 15, 2005 – he “does not contest the eventual transfer of this case” to the MDL Panel. In the interest of judicial economy, and noting that a ruling by the MDL Panel should be forthcoming, the Court will stay this litigation pending such ruling.

IT IS, THEREFORE, ORDERED that “Defendant Merck & Co., Inc.’s Motion to Stay All Proceedings Pending Transfer Decision by the Judicial Panel on Multidistrict Litigation” (Document No. 4) is **GRANTED**.

IT IS FURTHER ORDERED that this action is **STAYED** pending further Orders of the Court. No parties shall be required to file or serve any pleadings, memoranda, disclosures or

discovery during such time as this action is stayed. Within fifteen (15) days of a ruling by the MDL Panel, Merck shall report such to the Court.

Signed: August 9, 2005

A handwritten signature in black ink, appearing to read "D.C. Keesler", is written over a horizontal line.

David C. Keesler
United States Magistrate Judge

